REMARKS

This is a full and timely response to the final Official Action mailed March 21, 2007. Reconsideration of the application in light the following remarks is respectfully requested.

Claim Status:

No amendments are proposed by the present paper. Thus, claims 1-49 are currently pending for further action.

Prior Art:

Claims 1, 3-6, 8, 9, 11, 13, 15-17, 19, 21, 23-26, 28, 30, 32, 33, 40, 41, 43, 44 and 49 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent App. Pub. No. 2002/0154140 to Tazaki ("Tazaki"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

> A method of transitioning between two high resolution images in a slideshow, said method comprising:
> displaying a first image as part of said slideshow;
> replacing said display of said first image with a display of a lower resolution copy of said first image; and
> continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image.

Applicant initially notes that the claimed method occurs "in a slideshow," i.e., as images are being displayed sequentially. (*See* Applicant's specification, paragraph 0017). Consequently, claim 1 recites a method in which a first image being displayed is replaced by a lower resolution copy of the same image. While this lower resolution copy is being displayed, it is faded out from the display to "reveal" a second image that is then visible.

In contrast, Tazaki teaches a system and user interface for working exclusively with video clips and transitions between those clips. (Tazaki, abstract). In particular, the recent Office Action refers to Tazaki at Fig. 10 and paragraph 0088. (Action of 3/21/07, p. 3). This portion of Tazaki actually has nothing to with a transition between images in a slide show, but rather describes a user interface for making modifications *within* a particular video clip. According to Tazaki,

> [0088] The locating of the cursor 532 at a position ***within a clip*** calls an effects default interface, as illustrated in FIG. 10, to facilitate the modification of effect parameters. Clip data 1001 shows the position of the head for the clip, the position of the start of the tail for the clip and the duration of the clip. Thus, in this example, ***the clip has a duration of three seconds and twenty two frames***. From this screen, modifications to colour correction may be made by selecting soft button 1002. Similarly, a selection of soft button 1003 allows a page peel effect to be modified, ***a selection of soft button 1004 allows a pixelation effect to be modified*** and a selection of soft button 1005 allows gamma adjustment to be modified.

(Tazaki, paragraph 0088) (emphasis added).

According to the Office Action, "[p]ixelating frame as transition to the next frame is the equivalent of displaying a lower resolution copy of the originally displayed image. A pixilated image is clearly in lower resolution than the original frame." (Action of 3/21/07, p. 3). This is clearly incorrect.

Tazaki teaches modifying a pixilation effect for a video clip that includes 22 different frames, i.e., 22 different successive images. Changing the pixilation effect applied to those 22 frames is clearly not equivalent to, and has nothing to do with, Applicant's claimed subject matter of replacing a first slideshow image with a lower resolution copy of that same image and then fading out that lower resolution copy of the original image to display a second image.

In fact, Tazaki does not teach or suggest a fade transition that includes replacing an image with a lower resolution copy of that same image before fading out that image to reveal

another. In Fig. 8 and paragraph 0081, Tazaki teaches a fading or "dissolve" transition between video clips, but only teaches the traditional method of fading one image into another. There is no teaching or suggestion whatsoever of replacing a first image with a lower resolution copy of that image before the fading or dissolve operation is conducted.

Thus, Tazaki clearly fails to teach or suggest the claimed method of transitioning between two high resolution images in a slideshow. Tazaki teaches working with video clips and does not teach or suggest "displaying a first image *as part of said slideshow*." Tazaki does not teach or suggest "replacing said display of said first image with a display of a lower resolution copy of said first image." Tazaki only mentions adjusting the pixelization effects of an entire video clip without any suggestion of using high and low resolution copies of the same image in a transition between slideshow images. Tazaki further does not teach or suggest "continuing said slideshow by fading out said display of said lower resolution copy of said first image to reveal a display of a second image." In reality, Tazaki is completely inapposite to the claimed subject matter.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least these reasons, the rejection based on Tazaki of claim 1 and its dependent claims should be reconsidered and withdrawn.

Claim 15 recites:

> A system for transitioning between two high resolution images in a slideshow, said system comprising a video chip comprising:
> a display device;
> a first video buffer for containing a first image;
> a second video buffer for containing a second image; and

a graphic buffer for containing a lower resolution copy of said first image; wherein said chip is configured to display said first image from said first video buffer on said display device, replace the display of said first image with a display of said lower resolution copy of said first image and fade out said display of said lower resolution copy of said first image to reveal a display of said second image on said display device.

In contrast, Tazaki also fails to teach or suggest any of the subject matter of claim 15. As demonstrated above, Tazaki fails to teach or suggest a system "configured to display said first image from said first video buffer on said display device, replace the display of said first image with a display of said lower resolution copy of said first image and fade out said display of said lower resolution copy of said first image to reveal a display of said second image on said display device." For at least this reason, the rejection of claim 15 and its dependent claims should be reconsidered and withdrawn.

Moreover, Tazaki fails to teach or suggest the claimed "first video buffer for containing a first image; a second video buffer for containing a second image; and a graphic buffer for containing a lower resolution copy of said first image." The recent Office Action fails to indicate how or where Tazaki teaches two separate video buffers and a graphic buffer that contain the various image data as claimed.

It is incumbent upon the Examiner to identify where in the reference each element may be found. *Ex parte Levy*, 17 U.S.P.Q.2d 1461 (BPAI 1990). Consequently, when the Examiner fails to identify a claimed element, the Examiner has failed to establish a prima facie case of anticipation. For at least this additional reason, the rejection of claim 15 and its dependent claims should be reconsidered and withdrawn.

Claim 24 recites:

A media viewer application stored on a medium for storing processor-readable instructions, said application comprising a slideshow function, wherein said slideshow

function, when invoked, automatically displays a sequence of images stored on a selected storage medium to produce a slideshow;

wherein said slideshow function is configured to display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image.

Claim 24 recites software or "a media viewer application" stored on a medium for storing processor-readable instructions. The claimed application produces a slideshow in which the slideshow function "is configured display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image."

As demonstrated above, Tazaki fails to teach or suggest any of this subject matter of claim 24. Specifically, Tazaki does not teach or suggest a "slideshow function is configured to display a first image as part of said slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said lower resolution copy of said first image to reveal a display of a second image." For at least these reasons, the rejection of claim 24 and its dependent claims should be reconsidered and withdrawn.

Independent claim 33 recites:

A system for displaying images stored on a storage medium, said system comprising:

a video monitor;

a device for reading a data storage medium and outputting a signal to said video monitor; and

a media viewer application operational with said device for reading said data storage medium, wherein said media viewer application further comprises a slideshow function that, when invoked, automatically displays images stored on said data storage medium to produce a slideshow;

wherein said slideshow function is configured to display a first image as part of a slideshow, replace display of said first image with a display of a lower resolution

copy of said first image and then fade out said display of said lower resolution copy of said first image to reveal display of a second image.

As demonstrated above, Tazaki fails to teach or suggest a system with a slideshow function "wherein said slideshow function is configured to display a first image as part of a slideshow, replace display of said first image with a display of a lower resolution copy of said first image and then fade out said display of said lower resolution copy of said first image to reveal display of a second image." For at least this reason, the rejection of claim 33 and its dependent claims should be reconsidered and withdrawn.

Independent claim 44 recites:

> A system for displaying images stored on a storage medium, said system comprising:
> means for reading a data storage medium and outputting a signal to a means for displaying images; and
> means for displaying a first image, replacing display of said first image with a display of a lower resolution copy of said first image and then fading out said display of said lower resolution copy of said first image to reveal a display of a second image.

As demonstrated above, Tazaki fails to teach or suggest "means for displaying a first image, replacing display of said first image with a display of a lower resolution copy of said first image and then fading out said display of said lower resolution copy of said first image to reveal a display of a second image." For at least this reason, the rejection of claim 44 and its dependent claims should be reconsidered and withdrawn.

Additionally, the various dependent claims of the application recite subject matter that is further patentable over the cited prior art. Specific, non-exclusive examples follow.

Claim 3 recites "pointing a video overlay at said first image to display said first image prior to said replacing of said first image." In this regard, the Office Action refers to Tazaki's

user interface which shows frames of a video clip or clips. (Action of 3/21/07, p. 4). Clearly this has nothing to do with a video overlay or operation of a video overlay as recited in claim 3.

Claims 4 and 5 recite, respectively, "storing said first image in a first video buffer," and "making said lower resolution copy of said first image and storing said lower resolution copy of said first image in a graphic buffer." In contrast, Tazaki does not teach or suggest the two different kinds of buffers, video and graphic, and their use as claimed to separately store high and low resolution copies of a particular first image. Moreover, the Office Action fails to indicate how or where Tazaki teaches such use of the two different kinds of buffers recited. (Action of 3/21/07, p. 5).

Claim 6 recites "pointing a graphic overlay at said lower resolution copy of said first image; and enabling said graphic overlay." Tazaki clearly does not teach or suggest this subject matter.

For at least these additional reasons, the rejection of these and any similar claims should be reconsidered and withdrawn.

Claims 2, 7, 14, 18, 27, 34-39, 42 and 45-48 were rejected as being unpatentable under 35 U.S.C. § 103(a) over the teachings of Tazaki taken alone. This rejection is respectfully traversed for at least the same reasons given above with respect to the various independent claims of the application and for the following additional reasons.

Claim 2 recites "disabling a graphic overlay and displaying said first image prior to replacing said first image." Tazaki clearly fails to teach or suggest any such subject matter, as conceded by the Office Action. (Action of 3/21/07, p. 11). Consequently, Applicant

respectfully requests that prior art teaching this subject matter be made of record or the rejection of claim 2 be withdrawn.

Claim 14 recites "centering and resizing said first and second images to fit respective buffers prior to said replacing said first image." Tazaki clearly does not teach or suggest this subject matter. Again, Applicant respectfully requests that prior art teaching this subject matter be made of record or the rejection of claim 2 be withdrawn.

Claims 10, 12, 20, 22, 29 and 31 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Tazaki and U.S. Patent App. Pub. No. 2005/0231511 to Doepke et al. This rejection is respectfully traversed for at least the same reasons given above with respect to the various independent claims.

Conclusion:

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If any fees are owed in connection with this paper that have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: May 21, 2007

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